IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 25TH SEPTEMBER 2007 / 3RD ASWINA 1929

Crl.Rev.Pet.No. 3446 of 2007()

CRA.177/2005 of SESSIONS COURT, KALPETTA
STC. 39/2005 of JUDICIAL MAGISTRATE OF FIRST CLASS, KALPETTA.

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REVN. PETITIONER: REVISION PETITIONER/APPELLANT/ACCUSED

K.G.SUKUMARAN, S/O.GOVINDAN,
KALLUMKOOTTATHIL HOUSE, KALLANKARI,
CHENNALODE, THARIODE.

BY ADV. SRI.BABU JOSEPH KURUVATHAZHA
SMT.A.KUMARI MINI

RESPONDENTS: RESPONDENTS/COMPLAINANTS

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1. ANIRUDHAN P.N., S/O.NARAYANAN,
NAKULA NIVAS, EMILI.

2. STATE OF KERALA,
REPRESENTED BY ITS PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, KOCHI - 31.

BY ADV. SRI,T.P.ELIAS
SRI. K.S. SIVAKUMAR, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 25/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No.3446 of 2007

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Dated: 25th September 2007

ORDER

The accused in ST.No. 39/2004 on the file of the J.F.C.M, Kalpetta for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 9874 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner/accused.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

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